

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks. Claims 1-2 and 4-5 are in the application. Claim 1 has been amended. Claims 3 and 6 have been canceled. No new matter has been added.

The Examiner objected to the specification for referring to a claim number. Applicants have amended the specification to delete reference to the claim number.

The Examiner rejected claims 1-6 under 35 USC 103 as being unpatentable over WO 02/097310 in view of Gurtler. Applicants respectfully traverse.

Applicants have amended claim 1 to include the elements of claims 3 and 6, now canceled.

Gurtler teaches that in order to scrape off carbon deposits in the ring groove of a piston, a compression ring is configured in such a manner that pointed, sharp projections can be disposed, possibly also alternately, in the region of its upper and lower side. In order to accomplish this task, however, it is more

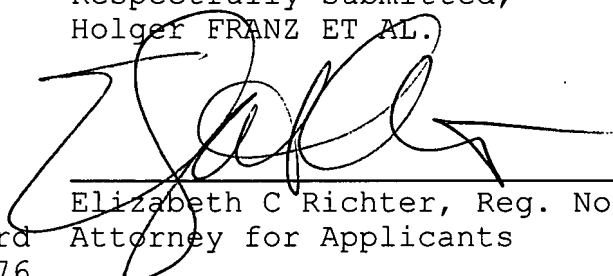
practical and better if the pointed, sharp projections run over the entire height of the compression ring. (see column 3, lines 16-19).

Aside from the fact that Gurtler claims a compression ring that has a different function from that of an oil control ring, it does not teach how an oil control ring is to be structured so that it produces a uniform shape filling capacity with a tangential force, in order to guarantee a low friction power, but also a low oil consumption during engine operation. In particular, Gurtler does not teach that wave-shaped face surfaces of the upper and lower ring side follow a sine function phase-offset relative to one another, having a wave amplitude that corresponds to at least half the diameter of the helical spring.

While it is true that WO 02/097310 shows an oil control ring, this document teaches that a shape adaptation capacity of the ring is achieved by a plurality of axial slits, which are at a distance from one another on the circumference side and are radially set back with respect to the outer contact surfaces. WO 02/097310 does not teach or suggest any of the features of amended claim 1.

Combining the two references would not lead to the invention claimed in amended claim 1 because none of the cited documents teaches or shows the features of the oil control ring according to amended claim 1, individually or in combination. Accordingly, Applicants submit that claims 1, 2, 4 and 5 are patentable over the cited references. Early allowance is respectfully requested.

Respectfully submitted,
Holger FRANZ ET AL.

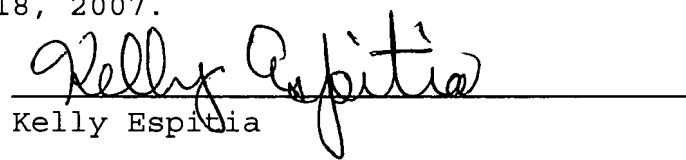


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